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Filed : December 28, 2000

44. The game station in accordance with Claim 35 wherein said first gaming controller is configured to present a Class III game, said second gaming controller is configured to present a Class II game, said third gaming controller is configured to present a Class III game, and said fourth gaming controller is configured to present a Class II game.

45. The game station in accordance with Claim 35 including a master game station controller, said first, second, third and fourth gaming controllers controlled by said master game station controller.

46. The game station in accordance with Claim 35 wherein said first and second playing surfaces extend outwardly from said base portion about 30 inches above a bottom of said base portion, whereby said first and second playing surfaces are positioned for use by seated players having their legs extending thereunder.

REMARKS

This is in response to the Office Action mailed October 27, 2002. Claims 1-34 were originally pending in the application. By this amendment, Applicants have canceled Claims 1-34 and have added new Claims 35-46.

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Objection to the Drawings

By the Office Action, the Examiner first objected to the drawings, indicating that Figure 2 consists of a flow chart with part numbers, and indicating that as a flow chart, such should include explanatory text.

Applicants note that as indicated in the Brief Description of the Figures, Figure 2 is not a flow chart, but is a schematic illustrating components of the game station of the invention and their interconnection, similar to an electronic circuit. The components have thus been labeled with their corresponding reference numbers, and not method function, since the figure is not a flow chart corresponding to a method.

Applicants therefore request reconsideration of the objection to the drawings.

Objection to the Specification

The Examiner indicated objection to the Abstract as exceeding 150 words and as including legal phraseology. Applicants have submitted an amended Abstract for the Examiner's consideration.

The Examiner also objected to the title as not being descriptive. Applicants have amended the title to reflect the claimed subject matter.

Claim Rejections Under Section 112

The Examiner rejected Claims 11, 31 and 33 under Section 112. Applicants have canceled these claims, obviating these rejections.

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Claim Rejections Under Sections 102/103

The Examiner rejected originally pending Claims 1-34 under 35 U.S.C. §§ 102 and/or 103 in view of a number of references, including Fey (*Slot Machines, a Pictorial History*) and a number of secondary references. Applicants have canceled these claims and assert that new Claims 35-46 are allowable over the prior art for the following reasons.

New Independent Claim 35

New Independent Claim 35 is directed to a game station configured to present multiple independent games simultaneously to each of two players. The game station includes first and second horizontal playing surfaces which extend outwardly generally opposite one another from a central upwardly extending base portion, the first and second playing surfaces sufficiently large to accommodate at least two bingo cards in depth and width, permitting each of the players to play one game using the playing surface. The game station also includes a console extending upwardly from the base portion between the first and second playing surfaces, the console having a first face facing the first playing surface and a second face facing the second playing surface. The game station also includes first and a second electronically controlled video displays at the first face of the console, the first and second video displays located in a side-by-side configuration vertically above the first playing surface. A first game controller is adapted to present information regarding a first game on the first video display and a second game controller is adapted to present information regarding a second game on the second video display, the first and second games independent of one another.

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Likewise, third and fourth electronically controlled video displays are located at the second face of the console, the third and fourth video displays located in a side-by-side configuration vertically above the second playing surface. A third game controller is adapted to present information regarding a third game on the third video display and a fourth game controller is adapted to present information regarding a fourth game on the fourth video display, the third and fourth games independent of one another. Lastly, the game station includes wager accepting devices adjacent the first and second playing surfaces adapted to accept a wager placed by a player for playing the first, second, third and fourth games.

In this configuration, a first player may play one or more games, such as multiple games of keno or bingo, using the first playing surface. The first player may at the same time play a first game presented on the first video display and a second game presented on the second video display. All of these games may be played concurrently though they are independent of one another.

Applicants assert that the prior art does not teach or suggest a game station having such a configuration.

The Examiner cites Fey's Watson 1894 Combination Card and Dice game as having two displays (a card reel and dice). The Watson game, however, does not include first and second horizontal playing surfaces, and the "displays" are not mounted side-by-side in a single upwardly extending console between the playing surfaces, among other things.

The Examiner indicates that it would be obvious to substitute the dice and card reels of the Watson game for video displays. The Examiner has not cited support for the obviousness of the configuration claimed, however, including displays which are controlled by independent controllers.

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Using the Examiner's logic that it is obvious to lessen the number of parts, at most one would then expect use of a single controller controlling both displays. This is not the configuration claimed, however.

The Examiner states that the Watson game does not include a play surface, and instead relies upon the 1993 Bally game console as showing a shelf area which comprises a play area. Applicants assert that what constitutes simply a "lip" at the front of the Bally game console does not comprise a horizontal playing surface as claimed. As indicated, the horizontal playing surface has sufficient size to accommodate a game card. Clearly, the front lip of the Bally game console does not meet this limitation, and further, no support is found in the cited reference for providing the Watson game with a playing surface of such a size. For example, the Bally game console and accompanying text in Fey do not describe the Bally console as including a playing surface of any size for use in playing a game using at least one game card, independent of the reel slot game of the machine.

The Examiner indicated that Fey shows Bally console combinations placed back-to-back, and thus asserts the obviousness of placing Watson devices back-to-back. In this assertion, however, the Examiner admits that Fey simply shows two independent Bally consoles placed back-to-back. This prior art does not teach or suggest configuring a single game station with two player areas including a single upwardly extending base and console, but a pair of outwardly extending playing surfaces. Placed back-to-back, the Bally consoles simply comprise two devices, and thus two base units, two consoles, etc.

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In general, Applicants note that the Examiner has picked among a plurality of references to identify particular individual features. The Examiner has then combined these features without support in the references themselves for the particular combinations.

As stated by the Court of Appeals for the Federal Circuit, “[v]irtually all inventions are combinations and virtually all are combinations of old elements.” Intel Corp. v. U.S. Int’l Trade Comm., 946 F.2d 821, 842, 20 U.S.P.Q.2D (BNA) 1161, 1179 (Fed. Cir. 1991). Nonetheless, “it may be that the combination of the old elements is novel and patentable.” Clearstream Wastewater Sys. v. Hydro-Action, Inc., 206 F.3d 1440, 1444, 54 U.S.P.Q.2D (BNA) 1185, 1189 (Fed. Cir. 2000).

Applicants assert that even if the individual elements of independent Claim 35 can be found in a plurality of prior art references, no support exists in the prior art for the obviousness of the particular combination as claimed.

Dependent Claims 36-46

Dependent Claims 36-46 are believed to be allowable for at least the reason that they depend from allowable independent Claim 35.

Claim 36 additionally claims that the playing surfaces are at least about 14 inches deep to accommodate three bingo cards in depth. Applicants assert that the prior art, including the 1993 Bally Console, does not teach or suggest a game station having a playing surface of such a size.

Claim 37 additionally claims a tuner and selector for selectively presenting video information on the displays of the game station. The Examiner cites Marnell, II (U.S. Patent No. 5,259,613) as

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teaching the display of video images at a slot machine. However, Marnell, II teaches displaying the images adjacent the slot machine. Marnell, II does not teach or suggest a game station including multiple displays which are configured to display game information as well as at one or more times display video information as selected by a player using a selector. Once again, Applicants assert that while the individual elements may be known, the combination of displays, controllers and tuners as part of the game station as claimed is novel and nonobvious.

Claim 38 recites that the playing surfaces extend outwardly by about 12 inches. Applicants assert that the prior art, including the 1993 Bally console, does not suggest such a limitation.

Claim 39 recites that the game station includes an upwardly extending base portion having a pair of vertical surfaces, and where the game controllers are mounted to the vertical surfaces. Applicants assert that the prior art does not teach or suggest such a limitation. In the prior art, game controllers are generally mounted on horizontally extending supports or shelves therein. The vertical mounting in accordance with the invention permits the base unit to be small in width, thus minimizing the footprint of the station.

Claim 40 recites that first and second wagering devices are mounted in a housing adjacent the console. The Examiner asserts that wagering devices are old, and that the 1993 Bally console teaches such a back-to-back mounting. As described above, however, the back-to-back console configuration cited is simply two independent gaming machines placed back to back. In this configuration, the location of the individual elements is reversed on each side. For example, if the coin acceptor is on the right side for the front machine, it is also on the right side when facing the rear machine (and thus diagonal when compared to the front machine). In accordance with this

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embodiment of the invention, the wager accepting devices are aligned (see Figure 1: the wager accepting device is on the right side of the front playing area and on the left in the rear playing area). This has the advantage that space is conserved (only one housing area is needed) and wiring and service considerations are greatly enhanced. Applicants assert that the prior art does not teach or suggest such a configuration.

Claim 41 recites that the playing surfaces extend outwardly a greater distance than the console extends upwardly. Applicants assert that in the configurations of the prior art, such as the 1993 Bally console, the console extends upwardly a far greater distance than any portion of the machine (the "lip") extends outwardly. As detailed in the specification, in this configuration, when a user is seated, their legs fit under the playing surfaces. At the same time, however, the console is low enough that the player can see over it.

Claim 42 recites a keypad between the displays at each side of the game station. Applicants assert that the prior art does not teach or suggest such a configuration.

Claim 43 recites the game station as including a transparent cover movable between a raised and lowered position over each playing surface. The Examiner cites Taylor (U.S. Patent No. 3,689,072) as teaching a bingo board having a transparent cover. Once again, however, Applicants assert that the prior art does not teach or suggest the combination as claimed: a game station including multiple displays and horizontal playing surfaces, the station including movable covers over the playing surfaces. Taylor does not suggest or each a cover for use with a game station, nor one where the cover can be raised and lowered. As indicated, in Taylor the cover is mounted to the

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bottom to prevent separation, and thus loss of markers which are used in replacement of traditional marking mechanisms.

Claim 44 recites a combination of gaming controllers configured to present Class II and Class III games. Once again, Applicants assert that the Examiner has not shown such a combination. At most, the Examiner has cited prior art showing the existence of devices configured to present Class II or Class III games. Applicants assert, however, that the prior art does not teach or suggest the combination as claimed, where a game station includes (for each of two player areas) two displays, each one having an associated controller whereby one display presents game information regarding at least one Class II game and the other information regarding at least one Class III game.

Claim 45 recites a master gaming controller configured to control all of the individual game controllers associated with the plurality of displays. As the Examiner has not cited a reference which teaches independent controllers for a plurality of displays for a single game station, it is obvious that no teaching of an additional master gaming controller exists.

Claim 46 recites the game station where the playing surfaces are about 30 inches above a support for the base portion.

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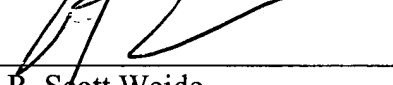
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Summary

Applicants assert that Claims 35-46 are in a condition for allowance and respectfully request a notice as to the same. If any matters remain outstanding, the Examiner is invited to contact the undersigned by telephone.

Respectfully submitted,

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